

PROB 12B
(04/08)

April 17, 2008

**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA**

FILED

08 APR 23 AM 11:16

Request for Modifying the Conditions or Term of Supervision
(Probation Form 49, Waiver of Hearing is Attached)

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Name of Offender: Windy Denise CONWAY (English)

Dkt No.: 07-CR-3320-001-W

9/10
DEPUTY

Name of Sentencing Judicial Officer: The Honorable Nita L. Stormes, U.S. Magistrate Judge

Sentence: 60 days custody; one year supervised release (*Special Conditions: See Attached Judgment and Commitment Order.*)

Date of Sentence: January 22, 2008

Date Probation Commenced: January 23, 2008

Prior Violation History: None

PETITIONING THE COURT

TO MODIFY THE CONDITIONS OF SUPERVISION AS FOLLOWS:

1. Warrantless Search - You shall submit your person, property, residence, place of business and vehicle under your control to a search, conducted by the United States probation officer or any authorized person under the immediate and personal supervision of the probation officer, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.
2. Substance Abuse Treatment- You shall participate in and successfully complete a substance abuse treatment and/or cognitive based life skills program, which will include drug/alcohol testing, outpatient counseling, or residential placement, as approved and directed by the probation officer. Further, you shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation officer based upon your ability to pay.
3. Drug/Alcohol Testing - You shall submit to drug/alcohol testing as directed by the probation officer not to exceed 104 tests per year.
4. Alcohol Abstinence - You shall refrain from the use and possession of beer, wine, liquor, and other forms of intoxicants.
5. Mental Health Treatment - You shall participate in and successfully complete a mental health treatment program, which may include testing, evaluation, medication management, outpatient counseling or residential placement, as approved and directed by the probation officer. Further, you shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation officer based upon your ability to pay.

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CAUSE

Ms. Conway has been supervised by the United States Probation Office in the District of Nevada since February 2008. On April 14, 2008, the probation office was notified of Ms. Conway's non-compliance. She submitted a urine sample on February 15, 2008, which tested positive for cocaine. Ms. Conway informed her probation office that she was drinking heavily at a friend's house, and that the next day she used "pills, drugs, [and] alcohol."

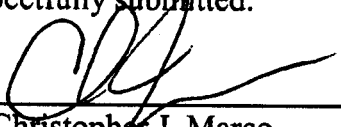
Therefore, Ms. Conway's supervising probation officer is recommending that the Court modify her conditions of supervised release as indicated above. Attached for the Court's review is a Waiver of Hearing form, signed by Ms. Conway, with which she assents to the addition of the above noted modification to the conditions of her release.

I declare under penalty of perjury that the foregoing is true and correct.

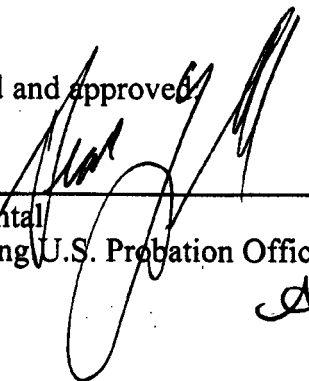
Executed on: April 17, 2008

Respectfully submitted:

by


Christopher J. Marco
U.S. Probation Officer
(619) 557-6502

Reviewed and approved

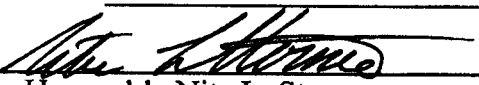

Sean Quintal
Supervising U.S. Probation Officer

Attachments

THE COURT ORDERS:

☒ The Modification of Conditions as Noted Above

☐ Other _____


The Honorable Nita L. Stormes
U.S. Magistrate Judge

4-21-08
Date